IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

WP(C).No. 5124 of 2007(I)

PETITIONER:

K.SUDHAKARAN, SPECIAL GRADE SECRETARY,
EDAVANNA GRAMA PANCHAYATH, (UNDER SUSPENSION]
R/A.ANAGHA, CHAKKALAKUTH, NILAMBUR P.O.
MALAPPURAM DISTRICT.

BY ADV. SMT.P.V.ASHA

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, DEPARTMENT OF LOCAL
SELF GOVERNMENT(J) GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER, BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

W.P.(C)No. 5124 OF 2007

Dated this the 14th day of February, 2007

J U D G M E N T

The petitioner has been placed under suspension while working as Special Grade Secretary, Edavanna Grama Panchayat as per Ext.P1 order passed by the respondent on 5.2.2007. A detailed representation has been filed by the petitioner requesting to revoke the order of suspension and to reinstate him in service. Ext.P5 is the copy of the representation. The request made by the petitioner has to be considered in the light of the duty cast on the respondents under Rule 10(6) of K.C.S. (C.C.& A), 1960. This will have to be done as early as possible.

2. While contending that there was no justification for placing the petitioner under suspension and that facts collected by the respondent do not represent the truth of the matter, the petitioner has also brought to the notice of the respondents that instead of placing him under suspension he could have been directed to work in some other Panchayat, so that there will be no room for thinking that public interest will suffer.

3. The above aspect also can be considered by the Government while disposing of Ext.P5.

Writ petition is disposed of directing the respondent to consider Ext.P5 on merits and in the light of the contentions raised therein and to pass orders in accordance with law within one month from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of this judgment along with a copy of the writ petition before the respondent for compliance.

(K.K.DENESAN, JUDGE)

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